

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before 07/17/2019, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

PHELAN HALLINAN DIAMOND & JONES, PC  
1617 JFK BOULEVARD, SUITE 1400  
PHILADELPHIA, PA 19103

MARIE-ANN GREENBERG, TRUSTEE  
CHAPTER 13 STANDING TRUSTEE  
30 TWO BRIDGES RD  
SUITE 330  
FAIRFIELD, NJ 07004

Attend the hearing scheduled to be held on 07/24/2019 in the NEWARK Bankruptcy Court, in Courtroom 3A, at the following address:

**U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: June 5, 2019

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

**File No. 824022**

Phelan Hallinan Diamond & Jones, PC

1617 JFK Boulevard

Philadelphia, PA 19103

856-813-5500

FAX Number 856-813-5501

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST

In Re:

TIMOTHY D. STICKNEY

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK VICINAGE

Chapter 13

Case No. 19-16011 - SLM

Hearing Date: 07/24/2019

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST, the holder of a Mortgage on Debtor's residence located at 43 BRINKERHOFF AVENUE, TEANECK, NJ 07666 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. On May 29, 2019, Secured Creditor a proof of claim listing prepetition arrears in the amount of \$101,810.37.
  2. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
  3. Debtor's Plan fails to properly identify the secured creditor as U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST.
  4. Debtor's Plan calls for the sale of the property. There is no documentation to support such a proposal. The proposed sale of the property is speculative in nature.
- Secured Creditor objects to Debtor's Plan as it is severely underfunded. The Plan should be

amended to fully fund the arrears owed to Secured Creditor during the term of the Plan rather than rely on speculation that the property will be sold at a future date. Furthermore, Secured Creditor requests that the full monthly payment of \$2,914.29, be timely tendered while the Debtor pursues a prospective sale. In the alternative, Debtor's Plan should be amended to state the property will be surrendered. Confirmation of Debtor's Plan should be denied.

WHEREFORE, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST respectfully requests that the Confirmation of Debtor's Plan be denied.

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

Dated: June 5, 2019

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

824022  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
856-813-5500  
Attorneys for U.S. BANK TRUST, N.A., AS  
TRUSTEE FOR LSF11 MASTER PARTICIPATION  
TRUST

In Re:

TIMOTHY D. STICKNEY

Case No: 19-16011 - SLM

Hearing Date: 07/24/2019

Judge: STACEY L. MEISEL

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, Michael Rocks:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF11 MASTER PARTICIPATION TRUST in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On June 7, 2019 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: June 7, 2019

/s/ Michael Rocks  
Michael Rocks

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
TIMOTHY D. STICKNEY 43 BRINKERHOFF AVENUE TEANECK, NJ 07666	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
LINWOOD A. JONES, ESQUIRE LINWOOD A. JONES 7 GLENWOOD AVENUE SUITE 414B EAST ORANGE, NJ 07017	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
MARIE-ANN GREENBERG, TRUSTEE CHAPTER 13 STANDING TRUSTEE 30 TWO BRIDGES RD SUITE 330 FAIRFIELD, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. TRUSTEE US DEPT OF JUSTICE OFFICE OF THE US TRUSTEE ONE NEWARK CENTER STE 2100 NEWARK, NJ 07102	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.